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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

SHEILA KINCAID; individually, and on
behalf of other members of the general
public similarly situated,

Plaintiff,

vs.

EDUCATIONAL CREDIT
MANAGEMENT CORPORATION, an
unknown business entity; ECMC GROUP,
an unknown business entity; and DOES 1
through 100, inclusive,

Defendants.

Case No. 2:21-CV-00863-TLN-JDP

Honorable Troy L. Nunley

**JOINT STIPULATION TO CONTINUE
DISCOVERY CUT-OFF AND RELATED
DATES; ORDER**

Complaint Filed: February 26, 2021

Trial Date: None Set

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TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

Plaintiff Sheila Kincaid (“Plaintiff”) and Defendants Educational Credit Management Corporation and ECMC Group (“Defendants”) (together, the “Parties”) respectively submit the following Joint Stipulation as follows:

WHEREAS, on February 26, 2021, Plaintiff filed her original Class Action Complaint (“Complaint”) in the Superior Court of the State of California for the County of Sacramento, Case No. 34-2021-00295336 (the “State Court Action”), asserting the following ten causes of action on a class-wide basis: (1) Unpaid Overtime; (2) Unpaid Meal Period Premiums; (3) Unpaid Rest Period Premiums; (4) Unpaid Minimum Wages; (5) Final Wages Not Timely Paid; (6) Wages Not Timely Paid During Employment; (7) Non-Compliant Wage Statements; (8) Failure to Keep Requisite Payroll Records; (9) Unreimbursed Business Expenses; and (10) Violation of California Business & Professions Code sections 17200 et seq.

WHEREAS, on May 12, 2021, Defendants removed the State Court Action to this Court.

WHEREAS, on May 20, 2022, the Parties participated in a private mediation and were unable to settle this case.

WHEREAS, the Parties conducted significant pre-certification discovery, including written discovery consisting of interrogatories, requests for admission, requests for production of documents, as well as party depositions, expert depositions, and percipient witness depositions.

WHEREAS, on March 29, 2024, the Court certified a class in this case.

WHEREAS, following the Court’s class certification ruling, the Parties have agreed to a second private mediation in an effort to resolve this case. The earliest available date the Parties were able to schedule before an appropriate, mutually-agreeable mediator is April 14, 2025. The Parties have agreed to attend a private mediation before Monique Ngo-Bonnici, an experienced wage-and hour-class action mediator, on April 14, 2025.

WHEREAS, pursuant to this Court’s Supplemental Pretrial Scheduling Order dated May 1, 2024 (Docket no. 45) (hereinafter referred to as “Order”), all non-expert discovery in this matter must be completed by February 26, 2025. Pursuant to the Order, the deadline for the designation of expert witnesses is April 28, 2025; the deadline for the designation of any supplemental list of expert witnesses

is May 28, 2025; the deadline to exchange supplemental disclosures and responses (including expert supplemental materials) is July 28, 2025; and the deadline to file dispositive motions is August 25, 2025.

WHEREAS, the Parties believe the chances for a successful mediation are greater if the Parties do not have to incur the costs of completing discovery, procuring experts, and preparing for dispositive motions before mediation.

WHEREAS, in order to avoid the expense of conducting and completing formal discovery pending potential resolution, in order to allow the Parties to focus their time, efforts, and resources on mediation, and in order to allow the best chances for a successful mediation, IT IS HEREBY STIPULATED AND AGREED BETWEEN THE PARTIES, BY AND THROUGH THEIR COUNSEL OF RECORD, THAT:

1. The Parties request that the Court extend the deadline for the completion of non-expert discovery to October 14, 2025, and pursuant to the Court's Order, a deadline sixty (60) days thereafter (i.e., December 14, 2025) to disclose experts pursuant to Rule 26(a)(2). The Parties further agree that supplemental expert disclosures be made within thirty (30) days of the initial expert disclosures (i.e., January 13, 2026).
2. The Parties request that the Court extend the deadline to file dispositive motions to one hundred eighty (180) days after the close of non-expert discovery (i.e., April 13, 2026) and continue the deadline to exchange supplemental disclosures and responses (including expert supplemental materials) to thirty (30) days before the new dispositive motion deadline (i.e., March 16, 2026).

IT IS SO STIPULATED.

Dated: October 8, 2024

PARKER & MINNE LLP

By: /s/ Jill J. Parker (as authorized on 10/8/2024)
Jill J. Parker
Attorneys for Plaintiff and the Class

Dated: October 8, 2024

DILLINGHAM & MURPHY, LLP

By: /s/ Cynthia C. Cheung
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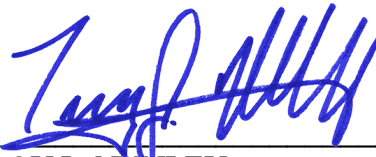
ORDER

The Court, having received and reviewed the foregoing Joint Stipulation to Continue Discovery Cut-Off And Related Dates, and good cause appearing, hereby GRANTS the Parties' joint request and ORDERS the following:

1. The deadline for the completion of discovery shall be extended to October 14, 2025.
2. The deadline for the designation of expert witnesses shall be extended to December 14, 2025.
3. The deadline for the designation of any supplemental list of expert witnesses shall be extended to January 13, 2026.
4. The deadline to exchange supplemental disclosures and responses (including expert supplemental materials) shall be extended to March 16, 2026.
5. The deadline to file dispositive motions shall be extended to April 13, 2026.

IT IS SO ORDERED.

Dated: October 9, 2024



TROY L. NUNLEY
CHIEF UNITED STATES DISTRICT JUDGE